**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**O.O.C.J.**

**SUMMARY SUIT NO. 382 OF 2005**

Tata Tea Ltd .....Plffs.
vs.
Amarlal Poptani Proprietor Amar Enterprises .....Defnds.

Ajay Sethi for the plaintiffs

**CORAM: S.U. KAMDAR, J.**

**DATE : 18th October, 2005.**

**P.C. :**.

1. The present suit is filed for Rs.11,37,619/-. Learned counsel for the plaintiffs undertakes to pay deficit court fees by the computation of the claim on the basis of each invoice. Undertaking accepted. Court fees to be paid within two weeks from today. In the present suit the defendants have purchased the goods from the plaintiff and inrespect of which there are various invoices which

are produced by the plaintiffs.

2. The defendants have given a demand notice. There is no reply. The defendant has also given large number of cheques. Each of them are dishonoured. Defendants are served. Affidavit of service dated 27.10.2005 is taken on record. The plaintiff has filed compilation of documents which is taken on record and marked Ex.P.1 colly. Inview of the fact that inspite of service there is no vakalatnama filed by the defendants, the suit is decreed.

3. There shall be decree in favour of the plaintiffs and against the defendants for sum of Rs.11,37,691/-. alongwith interest at the rate of 18% p.a. from the date of the suit till payment and or realisation. Refund of court fees as per rules.

sd/-

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